

COMPLAINT
NO. 2019-81579

THE STATE OF TEXAS {}

MUNICIPAL COURT

COUNTY OF HIDALGO {}

MCALLEN, HIDALGO COUNTY, TEXAS

I, Rubmate, do solemnly swear that I have good reason to believe, and do believe and charge, that heretofore, on the 12TH day of AUGUST, A.D. 2019, in the County of Hidalgo and State of Texas, ROSA ISELA GARZA, hereinafter called Defendant, did then and there intentionally and knowingly engage in conduct by an act that placed [REDACTED] a child younger than 15 years, in imminent danger of death, bodily injury and physical and mental impairment, to wit: recklessly leaving the child unattended inside a vehicle that was not running in temperatures over 100 degrees while shopping inside a store.

PC STATEMENT

REFER TO ARREST REPORT CASE # 2019-57731 ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

SUSPECT: ROSA ISELA GARZA, WH/F, [REDACTED], 5'9", 450 LBS., BROWN HAIR, BROWN EYES.

"My belief of the aforesaid statement is based upon information provided by Officer HORACIO REQUENEZ # 9590, who is per se presumed to be a reliable informant, who personally observed the offense."

Wherefore, I ask that a warrant to arrest said Defendant be issued forthwith in accordance with the law in such cases provided.

[Signature]
AFFIANT

SWORN TO AND SUBSCRIBED BEFORE ME this 13TH day of AUGUST, 2019 A.D.

[Signature]
JUDGE, MUNICIPAL COURT
MCALLEN, HIDALGO COUNTY, TEXAS



CZ

McAllen Police Department

OFFENSE REPORT

1601 N Bicentennial BLVD

McAllen, TX 78501

CASE# 2019-00057731

NARRATIVE

Child Endangerment (SJ)
2019-57731

On August 12, 2019 at approximately 1621 hours responded to 3200 N. 10th St (HEB) in reference to a child left inside a vehicle.

Once at location (1628 hrs) I located a blue Ford Expedition displaying Texas LP's [REDACTED] with several people around the vehicle. I observed a HEB employee had just taken out a small child from inside the vehicle. I was advised that a child had been left inside the vehicle unattended and that they could not locate his mother. Contact was then made with HEB Employee Andy A [REDACTED] who stated a concerned citizen had advised him that the small child was left inside blue Ford Expedition and that the vehicle was turned off. Mr. A [REDACTED] stated he walked to the vehicle and noticed that there was an infant inside a baby carrier in the backseat of the vehicle. Mr. A [REDACTED] stated he called his manager and other store employees to come help. Mr. A [REDACTED] stated another store employee Blue [REDACTED] started to help him find a way to open the car. Mr. A [REDACTED] stated for approximately 20 minutes they attempted to open the vehicle until an unknown male came with a tool and opened the vehicle. Several store employees advised me that they were paging the owner of the vehicle to see if they could locate the mother of the child.

At approximately 1637 hours, the mother of the child identified as Rosa Isela Garza [REDACTED] was located inside the store still shopping.

Contact was then made with Ms. Garza, I asked Ms. Garza what had happened and she stated that she had forgot that her child was inside the vehicle.

Ms. Garza stated she was inside the store for approximately 25 minutes shopping.

Ms. Garza stated when she arrived to the store she noticed a friend of hers in the parking lot and started to talk to them. Ms. Garza stated she then walked inside the store and completely forgot that she had her child in the backseat. Ms. Garza identified the child as [REDACTED].

Dispatch advised the weather was at 104 degrees Fahrenheit. I observed [REDACTED] was soaking wet from sweat and his body temperature was hot to the touch. I also noticed that [REDACTED] was extremely dehydrated and was very weak. Medcare arrived at the location and advised that [REDACTED] was dehydrated and needed to be transported to a local hospital for medical evaluation. Medcare transported [REDACTED] to DHR hospital.

Due to Ms. Garza having custody and being reckless about leaving or abandoning

REPORTING OFFICER

Requenez, Horacio #

DATE

8/12/2019

REVIEWED BY

McAllen Police Department

OFFENSE REPORT

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NARRATIVE (continuation)

her 11 month old son [REDACTED] unattended inside an unattended vehicle where child could have possibly been kidnapped or taken from the vehicle; furthermore, leaving [REDACTED] inside a vehicle with extreme temperature heat (104 Fahrenheit) that could have caused severe injury or death. Mr. Garza was then placed under arrest for Abandoning Endangering Child SJ. Ms. Garza was then handcuffed and escorted to the jail section.

Sgt. Y. Zamora arrived at location and photographed the scene.

Contact was made with Investigator M. Garcia# 10041 who made contact with the both witness Andy A [REDACTED] and Blue [REDACTED] to the McAllen Police Department where they provided video statements. See Investigator M. Garcia's supplement for more information.

Contact was also made with CPS worker Connie Martinez several hours later who advised me that [REDACTED] was diagnosed by ER. Dr. Morrissey with heat exhaustion. Ms. Martinez also advised that [REDACTED] was left in the custody of Ms. Garcia's brother, Carlos [REDACTED]

end of report
H. Requenez # 9590

REPORTING OFFICER

DATE

REVIEWED BY